

IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF CALIFORNIA

JAMES WHITTENBERG,

Plaintiff, No. CIV S-04-2313 FCD JFM P

VS.

LT. L. ROLL,

Defendant. ORDER

On March 29, 2005, the undersigned issued an order denying plaintiff's March 17, 2005 request for appointment of counsel. On October 28, 2005, plaintiff filed a request for reconsideration of that order. Local Rule 72-303(b), states "rulings by Magistrate Judges shall be final if no reconsideration thereof is sought from the Court within ten court days . . . from the date of service of the ruling on the parties." E.D. Local Rule 72-303(b). Plaintiff's request for reconsideration of this court's order of March 29, 2005 is therefore untimely.

To the extent plaintiff is renewing his request for appointment of counsel, his request is also denied for the reasons set forth in this court's March 29, 2005 order.

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Accordingly, IT IS HEREBY ORDERED that plaintiff's October 28, 2005 request for reconsideration is denied.

DATED: November 15, 2005.

John J. Walsh  
UNITED STATES MAGISTRATE JUDGE

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